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for the Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and for the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L. Madoff
Investment Securities LLC and Bernard L. Madoff,

No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-04768 (SMB)

Plaintiff,

v.

PLACON2; ESTATE OF WILLIAM R. COHEN;
BETTY COHEN, in her capacity as a Partner of
Placon2 and in her capacity as Executor of the Estate of
William R. Cohen; RONALD COHEN, in his capacity
as a Partner of Placon2; ESTATE OF BERNICE

PLAFSKY; ESTATE OF NATHAN PLAFSKY; and ROBERT PLAFSKY, in his capacity as the Personal Representative of the Estate of Bernice Plafsky and as Personal Representative of the Estate of Nathan Plafsky,

Defendants.

STIPULATION AND ORDER For Voluntary Dismissal Of Adversary Proceeding With Prejudice

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel, Baker & Hostetler LLP, and Placon2, Betty Cohen, in her capacity as a partner of Placon2 and as Executor of the Estate of William R. Cohen, Ronald Cohen, in his capacity as a partner of Placon2, Estate of Bernice Plafsky, Estate of Nathan Plafsky, Robert Plafsky, in his capacity as the Personal Representative of the Estate of Bernice Plafsky and as Personal Representative of the Estate of Nathan Plafsky, and the Estate of William R. Cohen (“Defendants”) by and through their counsel, Helen Davis Chaitman of Chaitman LLP (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On December 1, 2010, the Trustee filed and served the Complaint against the Defendants.
2. On August 13, 2015, Defendants served an answer to the Complaint.
3. On March 14, 2013, the parties stipulated to substitute for deceased defendant, Bernice Plafsky, who died during the pendency of this litigation.
4. On May 28, 2013, the parties stipulated to substitute for deceased defendants Nathan Plafsky and William R. Cohen, both of whom died during the pendency of this litigation.
5. On November 10, 2020, the Parties entered into a settlement agreement pursuant to

the Settlement Procedures Order, entered by this Court on November 12, 2010 [Dkt. No. 3181].

6. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal with prejudice of the Trustee's claims against Defendants in the above-captioned adversary proceeding, and dismissal of the adversary proceeding.

7. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

8. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic, or electronic copy of this Stipulation shall be deemed an original.

Dated: New York, New York
November 17, 2020

Of Counsel:

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CHAITMAN LLP

By: /s/ Helen Davis Chaitman

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Attorney for Defendants

SO ORDERED

Dated: November 18, 2020
New York, New York

/s/ STUART M. BERNSTEIN
HON. STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE